

November 4, 1999

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Ronald W. Kazmierczak, Regional Director

Remediation and Redevelopment
1125 North Military Avenue
P.O. Box 10448
Green Bay, Wisconsin 54307-0448
Telephone 920-492-5916
FAX 920-492-5859
TDD 920-492-5812

Mr. Kenneth F. Rottier
Lubinski, Rottier, Reed & Klass, S.C.
200 East Wisconsin Street
P.O. Box 67
Seymour, WI 54165-0067

SUBJECT: James Bus Lines, 6560 Old Highway 29, Pittsfield, Wisconsin
WDNR BRRTS CASE# 03-05-097668

Dear Mr. Rottier:

On March 7, 1996, the Wisconsin Department of Natural Resources provided a notice to you that the degree and extent of the petroleum contamination at the above named site was required to be investigated and remediated. We have since been informed that the required investigation and remediation has been accomplished.

On March 22, 1999, the above named site was reviewed by the Remediation and Redevelopment's Northeast Region Closure Committee for a determination as to whether or not the case qualified for closeout under ch. NR 726, Wis. Adm. Code.

The Department has received a copy of the completed groundwater use restriction for the above referenced site and proof of filing this record with the Brown County Register of Deeds. Based on the investigative and remedial documentation provided to the Department, it appears that the petroleum contamination at the above named site has been remediated to the extent practicable under current site conditions. Therefore, conditional closure of this site has been granted and no further action is necessary at this time. In the future, this groundwater use restriction may be amended with approval from the Department if conditions change at the site and the residual contamination has been remediated.

If you have any additional relevant information concerning this matter which was not formerly provided to the Department, you should submit this information to the Department for reevaluation.

The Department's records will reflect final "closure." If you have any questions regarding this determination, please contact me in Green Bay at (920) 492-5943.

Sincerely,

Kristin Nell
Hydrogeologist
Bureau of Remediation & Redevelopment

cc: Doug Budz & Doug Holewinski, James Bus Lines Ltd.
6560 Old Highway 29, Seymour, WI 54165
Pat McCarey, STS Consultants Ltd.
1035 Kepler Drive, Green Bay, WI 54311

1730849

WARRANTY DEED

BROWN COUNTY
REGISTER OF DEEDS
CATHY WILLIQUETTE

1999 DEC -8 P 2:27

HIS DEED, made between DOUGLAS A. BUDZ and RHONDA L. BUDZ, husband and wife, AND DOUGLAS HOLEWINSKI and RENEE HOLEWINSKI, husband and wife, Grantor, and LAMERS A & K PROPERTIES LLP, a limited liability partnership, Grantee,

WITNESSETH, that the said Grantor, for a valuable consideration, One Dollar and other good and valuable consideration, conveys to Grantee the following described real estate in BROWN County, State of Wisconsin:

a parcel of land located in part of the Northwest One-Quarter of the Northeast One-Quarter of Section 31, Township 25 North, Range 19 East, and in part of the Southwest One-quarter of the Southeast One-Quarter of Section 30, Township 25 North, Range 19 East, Town of Pittsfield, Brown County, Wisconsin, described as follows:

Commencing at the North One-Quarter corner of Section 31; thence N 01° 01' 20" W along the West line of the Southwest One-Quarter of the Southeast One-Quarter of Section 30 a distance of 15.09 feet to the southerly right-of-way line of STH 29; thence S 81° 39' 45" E along the said southerly right-of-way line of STH 29 a distance of 10.15 feet; thence S 73° 07' 54" E along said southerly right-of-way line of STH 29 a distance of 101.12 feet; thence S 38° 47' 47" W, 106.63 feet to the northerly right-of-way line of the town road Old 29; thence N 64° 48' 10" W along the northerly right-of-way line of the town road Old 29 a distance of 425.84 feet to the West line of the Northwest One-Quarter of the Northeast One-Quarter of Section 31; thence North 00° 43' 44" W along the West line of the Northwest One-Quarter of the Northeast One-Quarter a distance of 579.15 feet to the point of beginning.

This is not homestead property.

Together with all and singular the hereditaments and appurtenances thereunto belonging;

and DOUGLAS A. BUDZ and RHONDA L. BUDZ and DOUGLAS HOLEWINSKI and RENEE HOLEWINSKI warrant that the title is good, indefeasible in fee simple and free and clear of encumbrances except existing highways, utility easements, restrictions of record and zoning, and will warrant and defend the same.

Dated this 26th day of November, 1999.

Douglas A. Budz (SEAL)
DOUGLAS A. BUDZ

Rhonda L. Budz (SEAL)
RHONDA L. BUDZ

STATE OF WISCONSIN

Douglas COUNTY

SS

ACKNOWLEDGEMENT

Douglas L. Holewinski (SEAL)
DOUGLAS HOLEWINSKI

Renee L. Holewinski (SEAL)
RENEE HOLEWINSKI

Personally came before me this 26th day of November, 1999, the above named DOUGLAS A. BUDZ and RHONDA L. BUDZ, DOUGLAS HOLEWINSKI and RENEE HOLEWINSKI, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Kenneth F. Rottier
Kenneth F. Rottier, Notary Public
DUTAGAM, County, WI
My commission is permanent.

This instrument was drafted by: Attorney Kenneth F. Rottier.
leBudzLamers.WD

Name and Return Address:

Atty. B U Roels
P.O. Box 5065
De Pere, WI 54115-5065

Tax Parcel #: PI-542 and PI-542-2

TRANSFER

585.30

PER

WHZ
ATTACHED

WATERMOLEN - HOFFMANN

& associates

300 SOUTH BROADWAY
GREEN BAY, WI 54303
PHONE (414) 432-9020
FAX (414) 432-4771



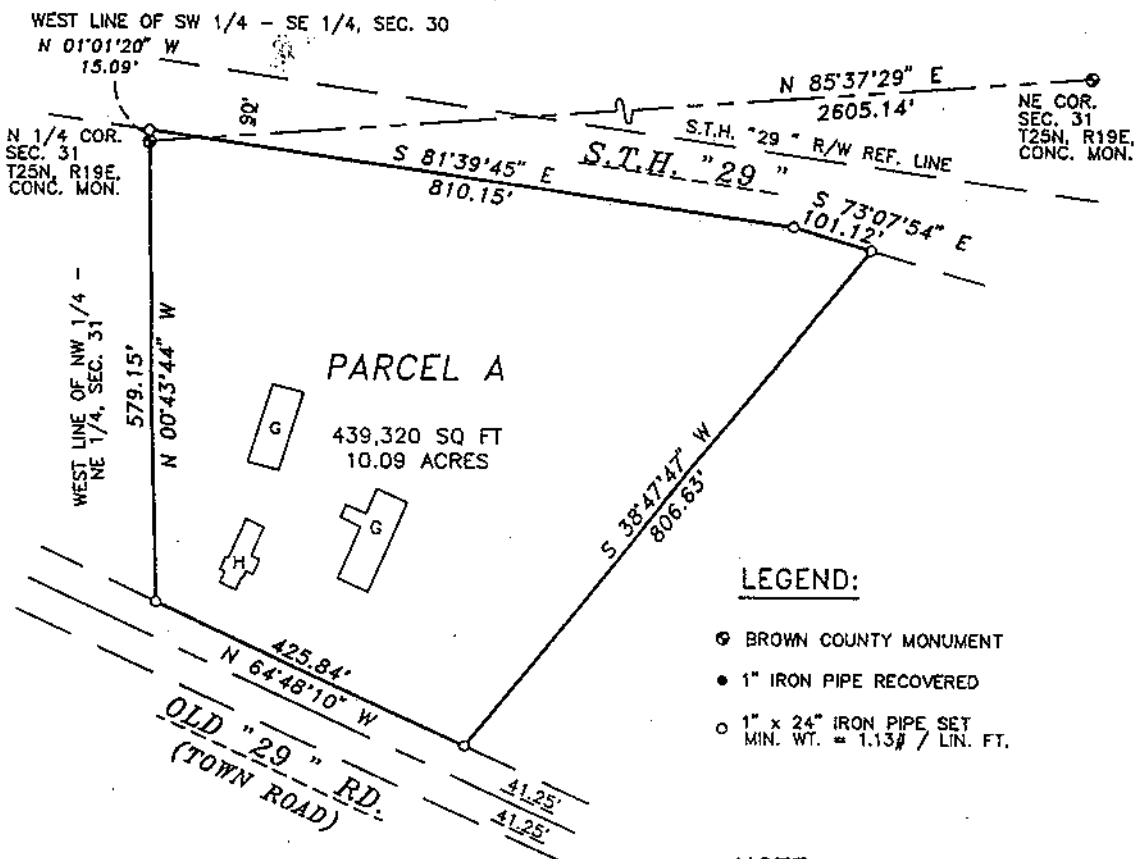
SURVEYOR'S CERTIFICATE
STATE OF WISCONSIN
COUNTY OF BROWN

I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED
THE LANDS DESCRIBED HEREON, AND THAT THIS MAP IS TRUE
REPRESENTATION THEREOF, TO THE BEST OF MY KNOWLEDGE.

LOCATED IN PART OF THE NW 1/4 - NE 1/4
OF SEC. 31, T25N, R19E, AND IN PART OF THE
SW 1/4 - SE 1/4 OF SEC. 30, T25N, R19E,
TOWN OF PITTSFIELD, BROWN COUNTY, WISCONSIN.

Dated this 30th day of JULY, 1996.

Luther J. Hoffmann
Luther J. Hoffmann S - 2254

**LEGEND:**

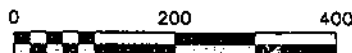
- BROWN COUNTY MONUMENT
- 1" IRON PIPE RECOVERED
- 1" x 24" IRON PIPE SET
MIN. WT. = 1.13# / LIN. FT.

NOTE:

SURVEY BASED ON BROWN COUNTY
SURVEYOR'S SECTION SPLIT

BEARINGS ARE REFERENCED TO THE
NORTH LINE OF SEC. 31, T25N,
R19E, RECORDED TO BEAR:

N 85°-37'-29" E



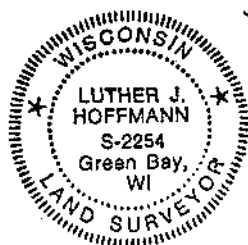
GRAPHIC SCALE IN FEET

Survey #98-0517-1
Dir M1312519
Autocad Drawing # AA312519

DESCRIPTION OF LAND FOR PARCEL A:

A parcel of land located in part of the Northwest One-quarter of the Northeast One-quarter of Section 31, Township 25 North, Range 19 East and in part of the Southwest One-quarter of the Southeast One-quarter of Section 30, Township 25 North, Range 19 East, Town of Pittsfield, Brown County, Wisconsin, described as follows;

Commencing at the North One-quarter Corner of Section 31 (T25N - R19E); thence N 01°-01'-20" W along the West Line of the Southwest One-quarter of the Southeast One-quarter of Section 30 a distance of 15.09 feet to the Southerly right-of-way line of STH "29"; thence S 81°-39'-45" E along the said Southerly right-of-way line of STH "29" a distance of 810.15 feet; thence S 73°-07'-54" E along said Southerly right-of-way line of STH "29" a distance of 101.12 feet; thence S 38°-47'-47" W 806.63 feet to the Northerly right-of-way line of the town road Old "29"; thence N 64°-48'-10" W along the Northerly right-of-way line of the town road Old "29" a distance of 425.84 feet to the West Line of the Northwest One-quarter of the Northeast One-quarter of Section 31; thence N 00°-43'-44" W along the West line of the Northwest One-quarter of the Northeast One-quarter a distance of 579.15 feet to the Point of Beginning. Subject to easements and reservations of record. Parcel contains 439,320 square feet (10.09 acres), more or less.



#96-0715-1

Watermolen - Hoffmann & Associates
300 South Broadway Green Bay, Wisconsin 54303

Phone: (414) 432-9020

1704676

Document Number

GROUNDWATER USE RESTRICTION

BROWN COUNTY
REGISTER OF DEEDS
CATHY WILLIQUETTE

1999 JUL -6 A 10:25

Declaration of Restrictions

In re: A parcel of land located in part of the Northwest One-Quarter of the Northeast One-Quarter of Section 31, Township 25 North, Range 19 East, and in part of the Southwest One-Quarter of the Southeast One-Quarter of Sec. 30, Township 25 North, Range 19 East, Town of Pittsfield, Brown County, Wisconsin, more particularly described as follows: Commencing at the North One-Quarter of Section 31, (T25N - R19E); thence North 01°-01'-20" West along the West line of the Southwest One-Quarter of the Southeast One-Quarter of Section 30 a distance of 15.09 feet to the Southerly right-of-way line of STH "29"; thence South 81°-39'-45" East along the said Southerly right-of-way line of STH "29" a distance of 810.15 feet; thence S 73°-07'-54" East along said Southerly right-of-way line of STH "29" a distance of 101.12 feet; thence South 38°-47'-47" West 806.63 feet to the Northerly right-of-way of the town road Old "29"; thence North 64°-48'-10" West along the Northerly right-of-way line of the town road Old "29" a distance of 425.84 feet to the West Line of the Northwest One-Quarter of the Northeast One-Quarter of Section 31; thence North 00°-43'-44" West along the West line of the Northwest One-Quarter of the Northeast One-Quarter a distance of 579.15 feet to the Point of Beginning. Subject to the easements and reservations of record. This parcel is identified as "Parcel A" on the survey map which is attached and hereby made a part of this deed restriction. This parcel contains 439,320 square feet (10.09 acres) more or less, and is part of the parcels described in Jacket 13971, Image 22 and Jacket 16033, Image 14 of the Brown County Register of Deeds office.

Recording Area

Name and Return Address:

Lubinski Law Firm
P.O. Box 67
Seymour, WI 54165

542 and 542-2

Parcel Identification Number (PIN)

STATE OF WISCONSIN)
) ss
COUNTY OF BROWN)

WHEREAS, Douglas Holewinski and Renee Holewinski, husband and wife and Douglas Budz and Rhonda Budz, husband and wife, are the owners of the above-described property.

WHEREAS, one or more petroleum discharges have occurred at this property. Benzene contaminated groundwater above NR 140 enforcement standard exists on this property at the following location(s): Near former groundwater monitoring piezometer PZ-1R at a concentration of 115 parts per billion (ppb) which is above the NR 140 enforcement standard of 5 ppb for Benzene. Location of monitoring wells, piezometers and borings are provided on Figure 2 attached and made part of this restriction.

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct additional soil or groundwater remediation activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater exceeding ch. NR 140 groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality exceeds the drinking water standards in ch. NR 809 is restricted by ch. NR 811 and ch. NR 812. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific prohibitions or requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed or reconstructed on this property unless applicable requirements are met.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by, the Wisconsin Department of Natural Resources, its successors and assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that the restrictions set forth in this covenant are no longer required. Upon receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, with a copy of the Department's written determination, may be recorded to give notice that this groundwater use restriction is no longer binding.

IN WITNESS WHEREOF, the owners of this property has executed this Declaration of Restrictions, this 30th day of June, 1999.

Signature:

Douglas Holewinski

Printed Name: Douglas Holewinski

Signature:

Renee Holewinski

Printed Name: Renee Holewinski

Signature:

Douglas Budz

Printed Name: Douglas Budz

Signature:

Rhonda Budz

Printed Name: Rhonda Budz

AUTHENTICATION

Subscribed and sworn to before me

this ____ day of _____, 19__

Notary Public, State of _____

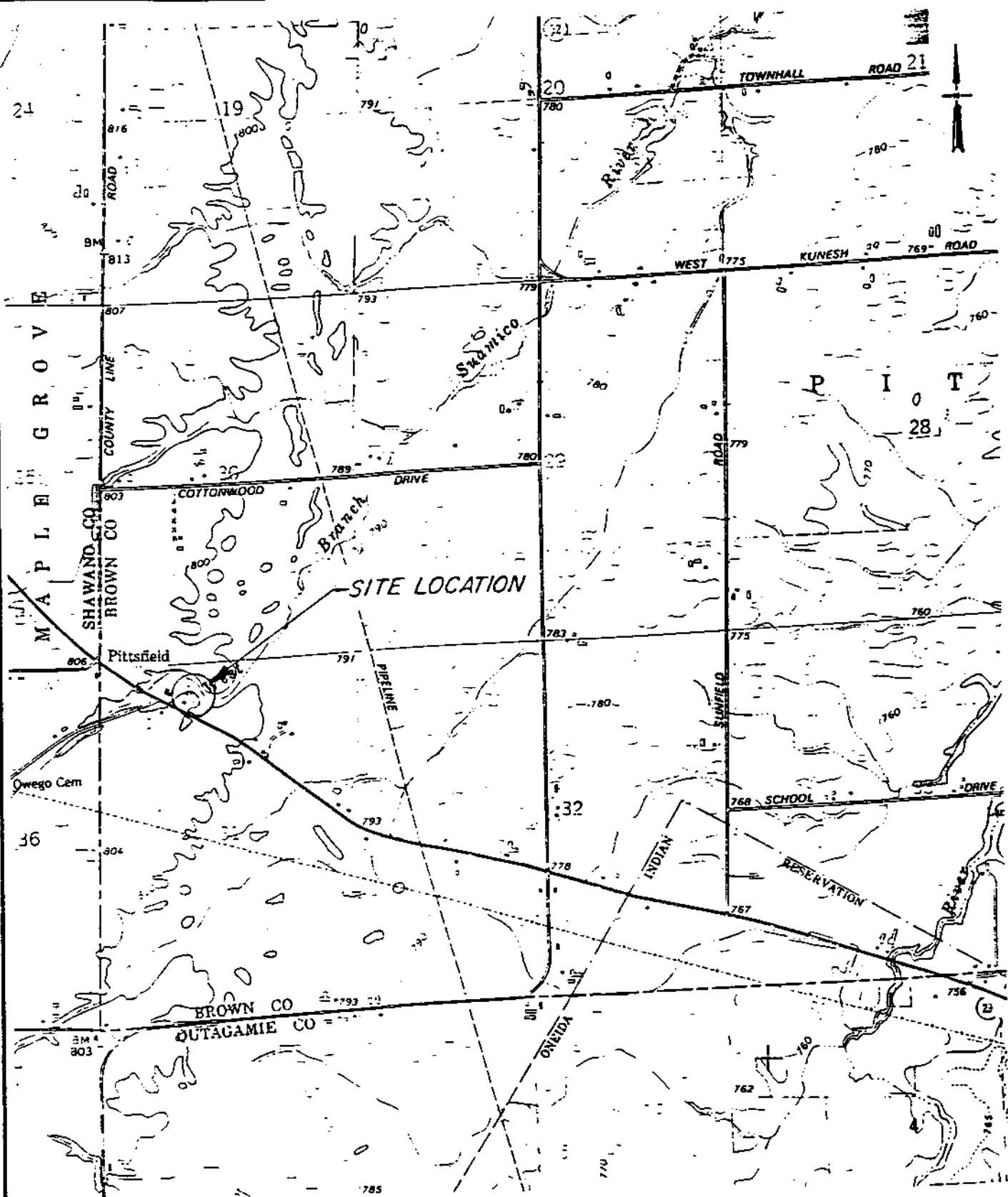
My commission _____

Signatures of DOUGLAS HOLEWINSKI, RENEE HOLEWINSKI, DOUGLAS BUDZ, and RHONDA BUDZ authenticated this 2nd day of July, 1999.

Kenneth F. Rottier

KENNETH F. ROTTIER

TITLE: Member State Bar of Wisconsin



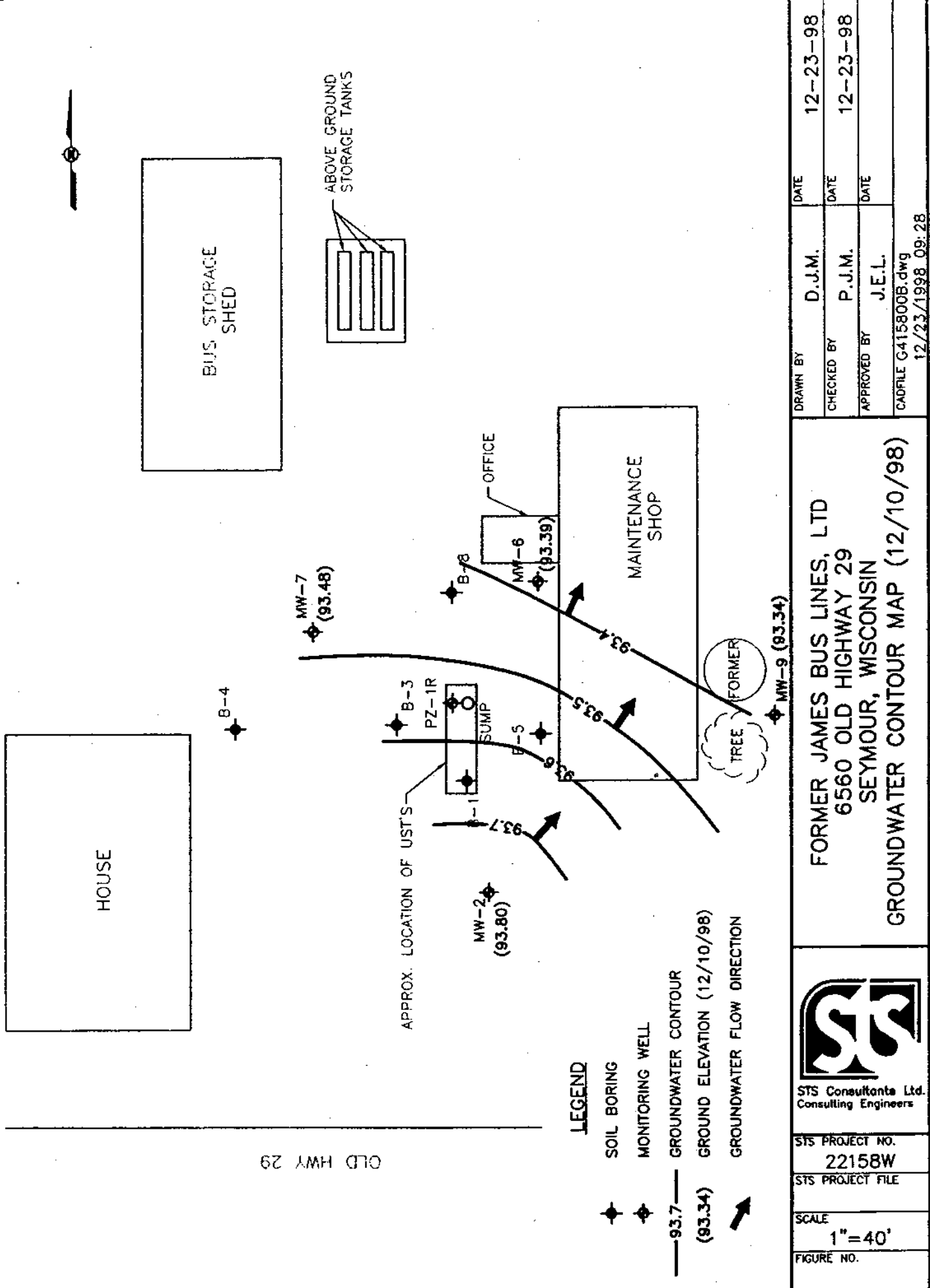
STS Consultants Ltd.
Consulting Engineers

PROJECT/CLIENT

JAMES BUS LINE, LTD
6560 OLD HIGHWAY 29
PITTSFIELD, WISCONSIN
SITE LOCATION DIAGRAM

DRAWN BY	RAB	3/8/96
CHECKED BY	PJM	3/8/96
APPROVED BY	MAB	3/8/96
SCALE	FIGURE NO.	
1:24000	1	
STS DRAWING NO.		

22158W



STS PROJECT NO.
22158W

STS PROJECT FILE

SCALE
1"=40'

FIGURE NO.

FORMER JAMES BUS LINES, LTD
6560 OLD HIGHWAY 29
SEYMOUR, WISCONSIN
GROUNDWATER CONTOUR MAP (12/10/98)

DRAWN BY D.J.M.

DATE

12-23-98

CHECKED BY P.J.M.

DATE

12-23-98

APPROVED BY J.E.L.

DATE

12-23-98

CADFILE G415800B.dwg

12/23/1998 09:28

Table 2
Groundwater Analytical Results
James Bus Lines, Ltd.
6560 Old Hwy 29
Pittsfield, Wisconsin

Groundwater Analytical Results

6560 Old Hwy 29

Pittsfield, Wisconsin

	Date	Well I.D.	Benzene	Ethyl- benzene	Toluene	Total Xylenes	MTBE	Naphthalene	Filtered Lead
Pre	5/10/96	MW-1	3070	1210	3380	5960	469	527	14
	9/12/96	Sump	42	<0.6	<0.6	3.9	20	NA	NA
	11/25/96		6.8	<0.6	<0.6	<1.7	3.9	NA	NA
	5/22/97		12	<0.68	<1.5	<1.8	4.8	NA	NA
Post	7/29/97		7.3	<0.68	<1.5	<1.8	1.4	NA	NA
	12/19/97	Snow Covered							
	6/12/98		0.68	<1	<1	<2	6.1	<1	NA
	12/10/98		0.69	<1	<1	<2	21.1	<1	NA
Pre	5/10/96	PZ-1	43	7.9	31	46	<2.7	4.6	<1
	9/4/96	PZ-1K	527	206	452	624	56	NA	NA
	11/25/96		5.2	2.2	<0.6	<1.7	<2.7	NA	NA
	5/22/97		20	1.4	<1.5	<1.8	0.7	NA	NA
Post	7/29/97		35	22	<1.5	20	<0.21	NA	NA
	12/19/97		390	51	9.3	50	25	NA	NA
	6/12/98		24.9	10.8	<1	5.22	<1	4.94	NA
	12/10/98		115	18.1	3.1	27.3	47.7	16.3	NA
Pre	5/10/96	MW-2	0.5	<0.6	2.8	<2.2	<2.7	<1.0	<1
	11/25/96		<0.5	<0.6	<0.6	<1.7	<2.7	NA	NA
Post	5/22/97		<0.21	<0.68	<1.5	<1.8	<0.21	NA	NA
	7/29/97		<0.21	<0.68	<1.5	<1.8	0.37	NA	NA
	12/19/97		<0.21	<0.68	<1.5	<1.8	<0.21	NA	NA
	6/12/98		<0.5	<1	<1	<2	<1	<1	NA
Pre	5/10/96	MW-6	<0.5	<0.6	5.2	<2.2	<2.7	<1.0	<1
	11/25/96		<0.5	<0.6	<0.6	<1.7	<2.7	NA	NA
Post	5/22/97		<0.21	<0.68	<1.5	<1.8	<0.21	NA	NA
	7/29/97		<0.21	<0.68	<1.5	<1.8	<0.21	NA	NA
	12/19/97		<0.21	<0.68	<1.5	<1.8	<0.21	NA	NA
	6/12/98		<0.5	<1	<1	<2	<1	<1	NA
	12/10/98		<0.5	<1	<1	<2	<1	<1	NA
Pre	5/10/96	MW-7	<0.5	<0.6	1.1	<2.2	<2.7	<1.0	<1.0
	11/25/96		<0.5	<0.6	<0.6	<1.7	<2.7	NA	NA
Post	5/22/97		<0.21	<0.68	<1.5	<1.8	<0.21	NA	NA
	7/29/97		<0.21	<0.68	<1.5	<1.8	<0.21	NA	NA
	12/19/97		<0.21	<0.68	<1.5	<1.8	<0.21	NA	NA
	6/12/98		<0.5	<1	<1	<2	<1	<1	NA
Pre	5/31/96	MW-9	<0.5	<0.6	<0.6	<2.2	<2.7	<1.0	NA
	11/25/96		<0.5	<0.6	<0.6	<1.7	<2.7	NA	NA
Post	5/22/97		<0.21	<0.68	<1.5	<1.8	<0.21	NA	NA
	7/29/97		<0.21	<0.68	<1.5	<1.8	<0.21	NA	NA
	12/19/97		<0.21	<0.68	<1.5	<1.8	<0.21	NA	NA
	6/12/98		<0.5	<1	<1	<2	<1	<1	NA
ENFORCEMENT STANDARD			5	700	343	620	60	40	15
Preventive Action Limit (PAL)			0.5	140	68.6	124	12	8	1.5
Notes: All Concentrations Reported in µg/l * Check laboratory data sheets for VOC/PVOC's ND = No Detection ES exceedance 56 PAL exceedance NA = Not Analyzed									

**ENFORCEMENT
STANDARD**

Preventive
Action Limit (PAL)

Notes

- * Check laboratory data sheets for VOC/PVOC's

ND = No Detection

ES exceedance

56 PAL exceedance

NA = Not Analyzed